

REMARKS

Claims 1-10 are pending. By this Amendment, no claims are cancelled, claims 1-10 are amended and no new claims are added. Support for the amendments can be found throughout the specification and drawings as originally filed.

Claim Rejections – 35 U.S.C. § 103

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Application Publication No. 2003/0100299 to Ko et al. in view of U.S. Patent No. 6,748,209 to Lipsit. Applicant has amended claim 1 to include the limitation of a “mobile test telephone being shiftable between a normal mode in which the mobile test telephone receives values of the selection or reselection parameters from the mobile telephony network, and a preset mode in which the mobile test telephone receives the predefined values of the selection and reselection parameters from the computer.” Insofar as the rejections apply to amended claim 1, and the remaining claims, Applicant respectfully traverses the rejections.

Ko et al. discloses a network testing system in which a mobile test telephone is connected to a computer. However, Ko et al. does not disclose a mobile test telephone including a presetting function to receive the predefined value of the selection and reselection parameters, as recited in claims 1 and 5, in combination with the other limitations of the claims. As disclosed in paragraph [0100] of Ko et al, the combination of the terminal and the mobile telephone simulates a subscriber using a standard mobile telephone, therefore operating in *only a single mode*. The mobile telephone according to embodiments of the present invention, is shiftable between both a normal mode for receiving values of parameters from the network, and a preset mode for receiving values of parameters given by the computer, as recited in claims 1 and 5.

Lipsit does not make up for the deficiencies of Ko et al. The Examiner states on page 4 of the Office Action that “Lipsit disclose[s] reselection parameters...stored in the computer

(column 2, lines 54-67 and paragraph Abstract lines 9-15)." Applicant respectfully disagrees with this statement. Embodiments of the present invention concern the tests of mobile telephony networks for their optimization, whereas the Lipsit reference teaches automated programming of mobile telephones. In particular, Lipsit discloses activation parameters, inapposite to the network parameters of the present invention, such as selection and reselection parameters. Selection and reselection parameters are network parameters which modify the geographical sizing of each cell of the network, as discussed at page 5, lines 12-14, of the application as originally filed. In a normal use of a mobile telephone, these selection and reselection parameters are received from the mobile telephony network, as discussed at page 7, lines 17-23 of the application as originally filed. Therefore, because the field of endeavor of Lipsit is the programming of the mobile telephone rather than the tests of mobile telephony networks for their optimization, the activation parameters of Lipsit cannot include selection and reselection parameters.

Claims 1 and 5 are allowable for at least the reasons discussed above. Claims 2-4 depend from claim 1, and claims 6-10 depend from claim 5 and are allowable for at least the same reasons claims 1 and 5 are allowable.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. Burgess", written over a circular stamp or seal.

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